

Ontario Civilian Commission on Police Services

Annual Report

2000/2001

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Mission Statement

The Ontario Civilian Commission on Police Services is an independent oversight agency committed to serving the public by ensuring that adequate and effective policing services are provided to the community in a fair and accountable manner.

Chair's Message

I am pleased to present the Annual Report for the Ontario Civilian Commission on Police Services for the calendar years 2000 and 2001. This report highlights the work of the Commission during this time period.

Throughout both the year 2000 and 2001 the members and staff have strived to improve on our Commission Values: Fairness; Accessibility; Timeliness; Quality & Consistency; Transparency; Expertise; Optimum Cost and Courtesy.

Both staff and I continue to speak to stakeholders on the essentials of effective civilian oversight. In this regard, we continue to work with the Ontario Association of Chiefs of Police (OACP), the Ontario Association of Police Services Boards (OAPSB), the Police Association of Ontario (PAO), the Ontario Provincial Police Association (OPPA), a national association of administrative tribunals and agencies and the Society of Ontario Adjudicators and Regulators (SOAR), a provincial organization of chairs, members and executive staff of administrative justice system agencies.

We continue to be committed to fairness with respect to discharging our duties and ensuring the adequacy and effectiveness of policing in Ontario.

Murray W. Chitra, Chair
Ontario Civilian Commission on Police Services

Role of the Commission

As an independent quasi-judicial agency, the Ontario Civilian Commission on Police Services carries out a number of duties that are primarily adjudicative or decision-making in nature.

These include hearing appeals of police disciplinary penalties; adjudicating disputes between municipal councils and police service boards involving budget matters; conducting hearings into requests for the reduction, abolition, creation or amalgamation of police services; conducting investigations and inquiries into the conduct of chiefs of police, police officers and members of police services boards; determining the status of police service members; conducting reviews of local decisions relating to public complaints at the request of complainants; and, general enforcement relating to the adequacy and effectiveness of policing services.

In Ontario, police services and police services boards are ultimately accountable to the public through the Commission. The mandate and duties of the Ontario Civilian Commission on Police Services are set out in the *Police Services Act*. The Commission reports to the Minister of Public Safety and Security.

Summary of Commission Powers

1. Authorization for the reduction or abolition of municipal police services, the amalgamation of police services; the creation of a new police service; alternative methods of providing police services; (sections 5, 6, 40)
2. Conducting inquiries, on its own motion, in respect of a complaint or complaints made about the policies of or services provided by a police force or about the conduct or work performance of a police officer and the disposition of such complaints; intervene at any stage in the complaints process and assign the review or investigation of or hearing into a complaint to another police force; (sections 73(1), 22(e.1))
3. Conducting reviews, at the request of a complainant, or on its own motion into the disposition of complaints; (sections 22(1)(e.1), 71)
4. Making recommendations with respect to the policies of or services provided by a police force and the administration of the public complaints process; (section 22(e.2))
5. Adjudicating disputes between municipal councils and police services boards about the adequacy of annual estimates or budgets; (section 39)
6. Approval of the appointments of First Nations Constables to perform specified duties in designated geographic areas; (section 54)
7. Hearing appeals with respect to disciplinary penalties; original proceedings against a chief of police; appeals from discharge or retirement where disability renders a member incapable of performing essential duties of the position; (sections 47, 65(9), 70)
8. Making determinations in disputes as to whether a person is a member of a police service or a senior officer, approval of creation of more than two categories within a police force for purposes of collective bargaining; (sections 116, 118)
9. Intervening when it finds that a municipal police force is not providing adequate and effective police services; determining whether or not a police services board has flagrantly or repeatedly failed to comply with prescribed standards; making interim orders without notice and without holding a hearing, where an emergency exists; (sections 9, 22, 23, 24)
10. Conducting inquiries into the conduct or performance of duties of a municipal chief of police or police officer, an auxiliary member, special constable or board member, the administration of a municipal police force, the manner in which police services are provided, policing needs; conducting investigations with respect to municipal policing matters; and, at the request of the Lieutenant Governor in Council, inquiring into any matter relating to crime or law enforcement (sections 25, 26).

Commission Organization

In 2000/2001 the Commission had ten part-time members, a full-time Chair and Vice Chair. Members are normally appointed for terms of 3 years by Order-in-Council. The men and women who serve on the Commission represent a diverse cross-section of professions and communities across Ontario. There is a small core of staff that supports the work of the Commission.

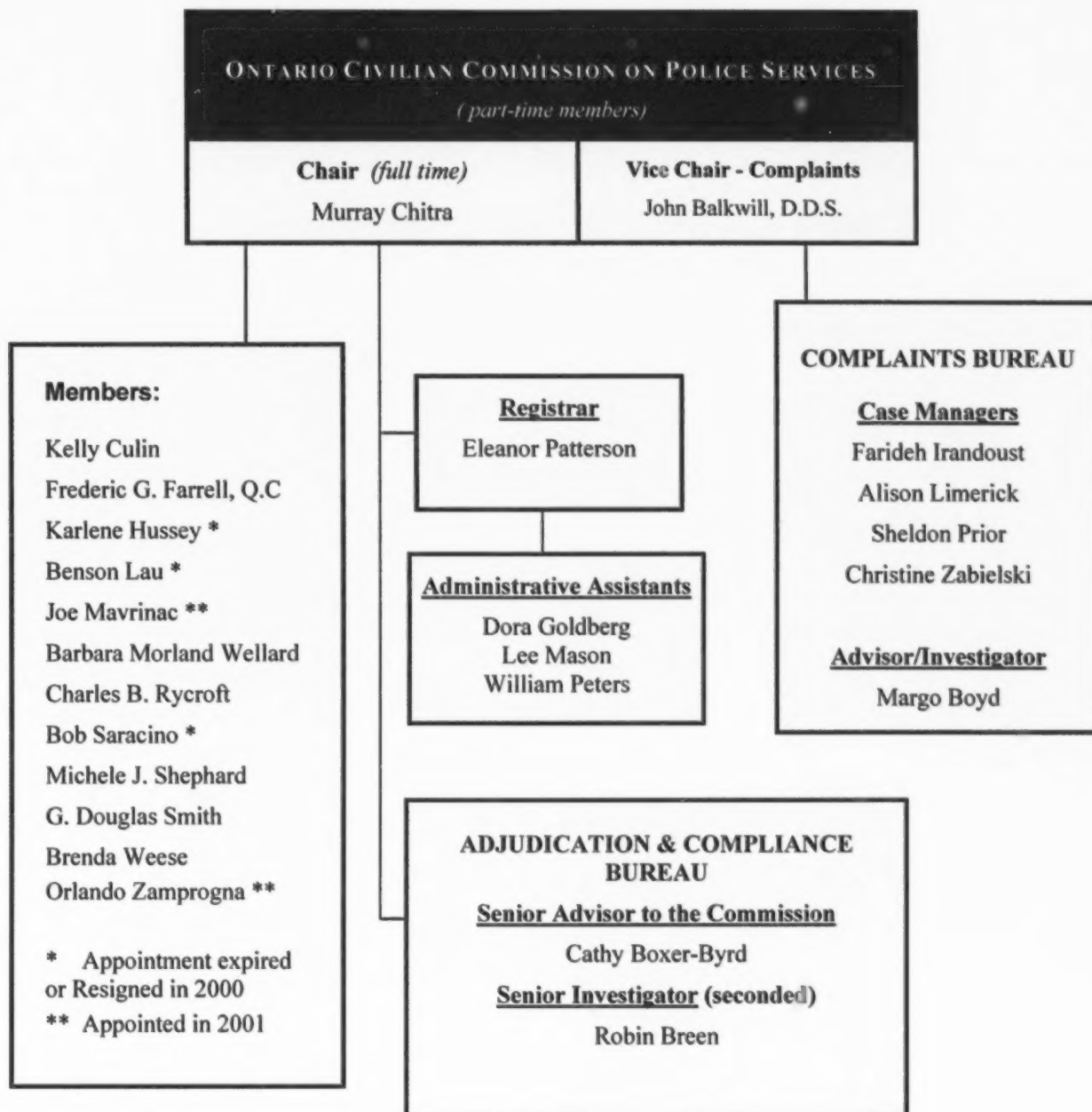
Keeping up to date with contemporary police and management practices is essential to continuing effectiveness. Members and senior staff participate in a variety of outreach and professional development activities. These include presentations at public forums and public education meetings, acting as a resource for the police, stakeholder training initiatives and sub-committees such as the Police Complaints and Police Restructuring Committees that are comprised of representatives from stakeholder groups and the Ministry.

The full Commission meets in Toronto on the second Monday of each month. Meetings are open to the public, except for those matters that deal with confidential personnel, financial or security issues. Members also participate regularly on panels to review local decisions about the classification and investigation of public complaints about the conduct of police officers. They also preside at various types of quasi-judicial proceedings such as hearings.

The Commission is structured into two operational units.

1. The Adjudication & Compliance Bureau deals with matters relating to the Commission's adjudicative functions. These include acting as an appellate body for appeals of police officer disciplinary penalties and a variety of activities relating to the compliance of police organizations with the adequacy and effectiveness provisions of the Act.
2. The Complaints Bureau focuses on the discharge of the Commission's mandate with respect to the administration and review of public complaints, as contained in Part V of the Act.

Organization Chart – 2000/01



Commission Budget 2000/2001

The annual budget for the Ontario Civilian Commission on Police Services for the calendar year 2000/2001 and 2001/2002 was \$1,662,300. The allocation has remained unchanged for the last two years.

The following is a breakdown of the allocated budget:

ITEM	ALLOCATION (\$000)
Salaries & Wages	1,201.6
Employee Benefits	224.7
Transportation & Communications	52.7
Services	153.8
Supplies & Equipment	28.5
Transfer Payments •	1.0
Total	1662.3

- Statutory Appropriation: Hearings under the *Police Services Act*

MEMBERS OF THE COMMISSION

Murray W. Chitra – Chair

Prior to his appointment to the Chair of the Commission, Mr. Chitra was the Legal Director of the Ontario Insurance Commission (OIC) for four years. As well, Mr. Chitra worked for ten years with the Legal Services Branch of the Ministry of Correctional Services assigned for six years as Legal Director. He was called to the bar in Ontario in 1980. Mr. Chitra is the President of the Society of Ontario Adjudicators and Regulators (SOAR) and Vice-President of the Council of Canadian Administrative Tribunals (CCAT).

John A. Balkwill, D.D.S. – Vice-Chair

Before joining the Commission, Dr. Balkwill practiced dentistry from 1971 – 1999. He served on the Board of Canadian Ports Corporation for nine years and additionally, was Chair of the Ports Canada Police. Dr. Balkwill is the past President of his region's Rotary Club and was a founding member of his community's Chamber of Commerce.

Sam Cancilla – Member

Mr. Cancilla is a businessman, who served as a City alderman from 1985 to 1992 and was a municipal representative on his community's Police Services Board. He was instrumental in building a new police headquarters in his community and introducing downtown storefront policing and bicycle patrols on the waterfront. Mr. Cancilla has been active in numerous community groups. This includes co-founding the local food bank and sports hall of fame and past Chair of the business improvement area. He is currently the President of Victoria Village and the Armoury Restoration Committee.

Ernest (Kelly) E. Culin – Member

Mr. Culin is the owner of a general insurance agency in Oakville. He is a former member of the R.C.M.P. He has served on various boards and community organizations, and was a 10 year member of the Ontario Environmental Assessment Board. Prior to his appointment to the Commission, he served as a member and vice-chair of the Halton Regional Police Services Board.

Frederic G. Farrell, Q.C. - Member

Mr. Farrell is a lawyer who was called to the Bar in 1973, appointed Queen's Counsel in 1985 and received a Master of Law Degree in Labour Relations in 1988. He is currently a counsel with a law firm located in Southwestern Ontario and is the chief agent in Canada for Royal Maccabees Life Insurance Company. Mr. Farrell is a past President, and present Director and Fellow of both local and international distinguished organizations.

Karlene Hussey – Member

Ms. Hussey is a lawyer and businessperson. She served on her community's Police Services Board from 1989 to 1995, acting as Chair from 1991. She was elected to the Board of Directors of the Ontario Association of Police Services Boards in 1992 and served until 1995. Ms. Hussey has been active in community affairs for many years and has served on the Board of her community's General Hospital Foundation. Ms. Hussey is currently a member of the Board of Governors of a highly regarded theatre organization.

Benson Lau, M.D. – Member

Dr. Lau is a family physician. He is currently the Medical Director of a medical center located in central Ontario. Until his appointment to the Commission, Dr. Lau was Chair of a Southeast Asian Community Police Liaison Committee as well as presently acting as Vice-President of the Mon Sheong Foundation.

Joseph (Joe) Mavrinac – Member

Mr. Mavrinac was for many years the owner of hotels. He subsequently served six consecutive terms as Mayor of his community. Prior to his appointment to the Commission he spent a two-year term as Chair of the Ontario Realty Corporation. He has served as President of three hotel/motel associations, President of the Association of Municipalities of Ontario and Director of the Federation of Canadian Municipalities.

Barbara Morland Wellard – Member

Ms. Wellard was called to the bar in 1980 and is currently a partner in a law firm located in a Northern community. She served as part-time member of the Board of Inquiry under the authority of the *Police Services Act*, 1990 and was a founding member and Chair of the Board of a Transition House, which housed and assisted abused women and their children. Ms. Wellard has also been involved with many other community organizations.

Charles B. Rycroft – Member

Mr. Rycroft is a businessman and has been a manufacturer for 28 years. He is a veteran of the Royal Canadian Armoured Corps and the Royal Canadian Air Force, serving from 1943 to 1946 and is past president of the Ontario Regiment Association and his region's Rotary Club. Mr. Rycroft served as Special Investigator and Intelligence/Liaison Officer for the LLBO from 1982 to 1989. He was also a member for two school boards in his community and serviced as a member of the Guaranty Trust Advisory Board.

Bob Saracino – Member

Mr. Saracino served as Mayor of a community located in the Southwestern part of the Province from 1977 – 1995. Mr. Saracino has extensive experience working on

community commissions and boards and has acted as Commissioner of his community's Hydro Electric Commission, Director of the local Chamber of Commerce and Director of region's General Hospital Board. He is currently a Regional Councillor and serves on a Physician Resources Planning Task Force in his community.

Michele J. Shephard – Member

Ms. Shephard is a past member of the Board of Directors, Women's Habitat of Etobicoke, a shelter for abused women and their children. She chaired the Fund Raising Committee for four years and Properties Committee for three years. Ms Shephard was also a volunteer with the Children's Aid Society of Metropolitan Toronto and has been involved in many community fund raising activities in the Greater Toronto Area. Ms. Shephard is a former member of the Toronto Real Estate Board and since 1974 has been a successful businesswoman.

G. Douglas Smith – Member

Mr. Smith is a lawyer who was called to the Bar in 1975 and is the founding member of the law firm of Smith Hardy & Miller. He is a former member of his community's Volunteer Fire Department and also a former member of the Council of the Canadian Bar Association Ontario and is a former Director of the Almaguin Health Services Board.

Brenda Weese - Member

Mrs. Weese is a nurse currently working the geriatric field. Her work experience includes nine years in municipal government; eight years as Reeve of her municipality and one year as Warden of an Eastern county. Mrs. Weese served on the executive for the Business and Professional Women's Club. She also served two years as chairperson of the Social Service Committee and one year as chairperson of the Waste Management Committee. Mrs. Weese is active in local hospital and Children's Aid Society fundraising and served a two-year term on the area's Children's Aid Society Board of Directors.

Orlando Zamprogna - Member

Mr. Zamprogna is a professional engineer and currently is employed at a University in his municipality. He served 9 years as a member of his city's Police Services Board. He also was a councilor and Deputy Mayor in his community. Mr. Zamprogna has served on many public boards and committees as well as been involved in several charitable organizations.

The members of the Commission are representative of all areas of the Province including the Northern, Eastern and Western regions.

The Year in Review

Inquiries, Investigations and Fact-Finding Reviews

Section 25 of the *Police Services Act* provides that the Commission may, "at the Solicitor General's request, at a municipal council's request, at a board's request or of its own motion, investigate, inquire into and report on:

- (a) the conduct or the performance of duties of a police officer, a municipal chief of police, a special constable, a municipal law enforcement officer or a member of a board;
- (b) the administration of a municipal police force;
- (c) the manner in which police services are provided to a municipality;
- (d) the police needs of a municipality.

Initiation of a section 25 inquiry is a serious, resource-intensive process with the potential for negative consequences for members, chiefs of police and police services boards found to be in non-compliance. These can include demotion, dismissal, suspension or revocation of an appointment.

An inquiry is commenced after the Commission is satisfied that based on a review of the evidence that has been collected through a formal investigation, this is the only remedy available.

In the year 2001 the Commission commenced one investigation under Section 25 of the *Act*.

Commission staff were directed to examine allegations with respect to the performance of duties of members of the Quinte West Police Service related to:

1. a domestic dispute that took place in the spring of 1997 involving a senior officer of the Service and the response of members of the Service to the report of the alleged incident;
2. inappropriate use of police resources for the purposes of checking potential rental property tenants; and
3. inappropriate discounts on the cost of the repair of the personal vehicles of a member of the Service between the years 1994 and 1998.

This investigation, was completed in 2001 and the report released in early January 2002.

In 1998 the Commission initiated an innovative approach to addressing those issues that were deemed to be of concern, but not falling within the parameters of a full-scale inquiry – the Fact-Finding review. This approach continues today.

During the calendar year 2000 we undertook one fact finding in Niagara Region. In the year 2001 we undertook a fact finding in Carleton Place and Perth.

Noteworthy Decisions

Appeals and Judicial Reviews - Ontario Court of Justice

A) Relating to Inquiries:

Year	Parties	Outcome of Judicial Review
2000	Ottawa-Carleton Board Members - (Dunlop) Section 9	Decision not rendered as of December 31, 2001

B) Relating to Disciplinary Appeals:

Year	Name of Police Officer and Service	Outcome of Judicial Review
2000	Constable David Diviney Toronto Police Service	Decision not rendered as of December 31, 2001
2000	Constable Glen Turpin Ontario Provincial Police	Decision September 14, 2001 Appeal Dismissed
2001	Constable Neil Orr York Regional Police Service	Abandoned by Appellant May 31, 2001
2001	Constable Scott Besco Peel Regional Police Service	Decision not rendered as of December 31, 2001

C) Appeals Relating to Complaint Reviews

Court of Appeal Decision - November 2001

Neil Browne (Ontario Provincial Police) and Attalah Sadaka and Mark MacMillan (Ottawa Police Service)

During 1999, the Divisional Court quashed two Commission decisions arising from public complaint reviews. Earlier, the Commission had varied the decision of the Commissioner of the Ontario Provincial Police and the Chief of Police of the Ottawa-Carleton Police Service that these complaints were unsubstantiated. It was the Commission's decision to order hearings into allegations of serious misconduct and/or unsatisfactory work performance.

In the Browne case, the Divisional Court ruled that the Commission had not provided sufficient reasons for its decision. In the Sadaka/MacMillan case, the Court ruled that the Commission had not adequately specified its concerns or provided sufficient reasons for ordering a hearing. Additionally, it was ruled that the Commission did not have the jurisdiction to make an allegation of unsatisfactory work performance under Regulation 123/98 of the *Police Services Act*.

The Commission was granted leave to appeal and arguments were heard in the Court of Appeal for Ontario. A decision was rendered November 27, 2001.

Essentially, the Court of Appeal ruled that the Commission should not be expected to draft the allegations of the hearing with such particularity that it constitutes the actual charge for the hearing. The Commission's decision requires no reasons beyond a properly specified basis for the hearing.

Further, the Court of Appeal ruled that Regulation 123/98, s. 13(3) legislates actions for a Chief of Police but these conditions do not apply to the Commission when making a decision concerning unsatisfactory work performance or when a member of the public complains.

The Court of Appeal for Ontario allowed both appeals.

Chart - The Adjudicative Process

Adjudicative Process is the same for disbandment, reduction and amalgamation hearings.

Application for hearing received

Acknowledgement & Protocols
sent within 5 working days

Draft proposal received and reviewed
by Commission staff

Final proposal tabled at the
Commission meeting

Panel members determined

Hearing date set and
public notices posted

Hearing

Commission's decision rendered normally
within 30 days

Disbandment proceeding

Section 40 Hearings

The Commission ensures that no municipal force is abolished unless arrangements have been made to meet the policing needs of the community. Any new arrangement must provide the infrastructure, (i.e. staff, equipment and facilities) to ensure adequate and effective police services. To this end the Commission reviews proposals accepted by Councils and considers all public comments and submissions.

Section 40 of the *Police Services Act* allows police services boards to terminate the employment of a member of a police force for the purpose of abolishing the force if the Commission consents and if the abolition does not contravene the Act.

When a municipality requests the approval of the Commission for the disbandment of their police service, they must supply the Commission with a copy of a resolution passed by municipal council. The Commission requests a copy of the proposal for the provision of alternative policing services and also ascertains whether severance arrangements have been made with those members whose employment would be terminated if the proposal is accepted.

It is not the Commission's function to judge whether or not what is being proposed is economical or superior to what may already be in place or any other alternative. The Commission's focus is to determine whether the proposed arrangements meet the requirements of the Act. It is not the function of the Commission to determine what constitutes appropriate severance arrangements. That is a matter for bargaining between the parties, and, in the absence of agreement, for arbitration.

A public meeting is held to hear presentations and receive submissions. Upon the completion of the hearing, the Commission renders a written decision.

The pace of police restructuring slowed during 2000/2001 and the number of requests for hearings into disbandments and amalgamations fell from the previous year. The Commission released 6 decisions with respect to disbandments in St. Clair Beach, Amherstburg & Anderdon Township, Red Rock, Brant County (formerly Paris), Tillsonburg and Renfrew. In the year 2001 the Commission rendered 4 disbandment decisions with respect to the municipalities of Deseronto, Ingersoll, Terrace Bay and Prescott. The text of these decisions can be found on the Commission's web site or obtained through the Commission office.

These municipalities entered into contracts with the Ministry of the Solicitor General to have the Ontario Provincial Police provide policing services.

Chart - Disciplinary Appeal Process

Notice of Appeal Received

Acknowledgment & Rules of Practice
sent within 5 working days

Appellant's briefs received within 30 days

Respondent's briefs received within
30 days of Appellant's briefs

Panel members determined

Tabled at the Commission Meeting

Hearing date set and confirmations
sent to all parties concerned

Hearing

Commission's Decision rendered
normally within 30 days

Disciplinary Appeals Decisions

The number of disciplinary appeals has risen from previous years. The following is a list of decisions rendered during the years 2000 and 2001. This list identifies the appellant, the police service in question and the date and outcome of the decision. A full copy of the text of the decisions can be obtained from the Commission offices or accessed through the Commission web site <http://www.occps.ca/>.

2000	Police Service	Decision
Constable S. Bender & R. Leclair	Windsor	Appeal Dismissed March 15, 2000
Constable Matthew Jeary	Waterloo	Appeal on Conviction Dismissed April 5, 2000
Constable Perry Mason	Hamilton-Wentworth	Appeal Dismissed Penalty Upheld March 9, 2000
Constable Neil Orr	York Regional	Extension to Cross-examine Deponents of Affidavits July 28, 2000
Constable Wayne D. Silverman	Ontario Provincial Police	Appeal allowed. Quash Finding of guilt and Penalty December 18, 2000
Memis Sipar (complainant)		Leave to Appeal Denied April 12, 2000
Constable Thomas J. Stanford	Ontario Provincial Police	Appeal Against Penalty Dismissed March 28, 2000
Constable Glen Turpin	Durham Regional	Appeal Against Conviction Dismissed January 20, 2000
Constable John Walker	Peel Regional	Appeal Dismissed Penalty Upheld November 6, 2000
Constable P. White & S. Reid	Windsor	Penalty Varied November 10, 2000

2001	Police Service	Decision
Detective Sergeant Jack More	York Regional	Appeal Denied March 26, 2001
Constable Neil Orr	York Regional	Appeal Against Conviction and Penalty Dismissed March 26, 2001
Constable Neil Orr	York Regional	Motion for an Order to Dismiss Granted Appeal Dismissed June 29, 2001
Sergeant Gary Lewin	Toronto	Appeal on Conviction and Penalty Denied July 23, 2001
Constable Steven Carson	Pembroke	Penalty Varied July 27, 2001
Constable Adam Cate	Peel	Motion on Lack of Commission Jurisdiction Denied October 2, 2001
Constable Scott Besco	Peel	Conviction Set Aside October 5, 2001
Bradley Christian (complainant)		Preliminary Matters Set Out October 18, 2001
Sergeant Vittorio Quintieri	Toronto	Appeal Dismissed October 29, 2001
Constable Aaron Groat	Quinte West	Appeal Dismissed November 26, 2001
Constable Deborah Gregg	Midland	Appeal on Convictions Allowed, Penalty Varied December 11, 2001

Chart - Public Complaints Process

Review Request within 30 days of receipt of Chief's decision

Staff Investigator reviews request and assigns to Case Manager

Case Manager Analysis

Consult with Commission Investigators

Case presented to Commission Members

Legal Advice

Case Review Decision

Case Manager forwards decision to Police Service/Complainant

PUBLIC COMPLAINTS

The Commission is the review body for public complaint decisions made by Chiefs of Police and the Commissioner of the Ontario Provincial Police.

The Commission answers telephone inquiries, forwards complaints to the involved police services and liaises with the public and police services regarding complaints.

When requested to review a complaint, the Commission receives submissions from the complainant as well as the entire investigation file from the involved police service. Commission case managers analyze each file and prepare a case summary which is presented to a review panel composed of Commission members.

On review, the Commission may confirm the decision of the Chief or the Commissioner, vary the decision or return the file to the involved police service or another police service for further investigation. The Commission has broad powers that include the right to call a public inquiry as well as make recommendations regarding the nature and delivery of police services to their respective communities.

In 2000, there were 2750 public complaints made against sworn police officers or their police services in Ontario. This is a small increase from the 1999 total of 2672.

In 2001, there were 2805 complaints against sworn police officers or their services in Ontario. Again this is an increase and it represents the third year in a row where the number of complaints has risen. This is still significantly lower than 1992 when the number of complaints reached almost 4100.

The Commission's four case managers endeavor and are successful in completing the majority of request for reviews within 30 days. Some reviews take longer owing to a number of factors including, the necessity of obtaining a legal opinion, the relative complexity of the file and time extensions granted to complainants.

During 2000, the Commission received 452 requests for review.

221 of the requests for review were the result of the Chief/Commissioner dismissing the complaint as unsubstantiated

95 of the requests for review were the result of the Chief dismissing the complaint for being frivolous and vexatious

45 of the requests for review were the result of the Chief dismissing the complaint as being brought more than six months after the impugned incident

37 of the requests for review involved the initial classification (i.e.) complaint involves the conduct of a members, services and/or policies of the police service.

15 of the requests for review were the result of the Chief/Commissioner dismissing the complaint as not directly affected

During 2001, the Commission received 494 requests for review. .

221 of the requests for review were the result of the Chief/Commissioner dismissing the complaint as unsubstantiated

132 of the requests for review were the result of the Chief dismissing the complaint for being frivolous and vexatious

59 of the requests for review were the result of the Chief dismissing the complaint as being brought more than six months after the impugned incident

47 of the requests for review involved the initial classification (i.e.) complaint involves the conduct of a members, services and/or policies of the police service

10 of the requests for review were the result of the Chief/Commissioner dismissing the complaint as not directly affected

As part of its oversight function, the Commission is provided with complaint statistics by all police services in the Province.

During the year 2000, the police services in Ontario reported 2750 public complaints. Those statistics reveal 184 of all complaints concern the alleged inappropriate use of authority, 1154 allege discreditable conduct, 719 allege use of excessive force and 1122 allege neglect of duty.

During 2001, of the 2805 public complaints filed, 657 of complaints concerned the alleged inappropriate use of authority, 1119 allege discreditable conduct, 431 allege use of excessive force and 971 allege neglect of duty.

First Nations Policing

The Constitution Act of 1982 and the British North America Act of 1867 assigned responsibility for the administration of justice to the provinces. Constitutionally and legislatively, Ontario is responsible for the delivery of policing services to all parts of the province, including First Nations.

The 1972 Ontario Task Force on Policing led to the establishment of a tri-partite arrangement for funding the 1975 Ontario First Nations Policing Agreement. The Ontario Provincial Police administered the program and provided support. There has been a gradual transfer of administrative responsibility from the OPP to First Nations governing authorities. Some of the functions, previously the exclusive responsibility of the OPP, have become jointly administered while others have been assumed completely by First Nations.

Section 54 of the *Police Services Act*, states that, “with the Commission’s approval, the Commissioner may appoint a First Nations Constable to perform specific duties” and further, if the specified duties of a First Nations Constable relate to a reserve as defined in the Indian Act (Canada), the appointment also requires the approval of the reserve’s governing authority or band council.”

First Nations Police are responsible for enforcing provincial and federal laws and band by-laws in First Nations Territories.

According to the First Nations and Municipal Policing Bureau of the OPP, “the last decade has seen a concerted move to self-policing among Ontario’s First Nations communities” and a reduction in the administrative involvement of the OPP in First Nations policing. Today, the OPP manages policing on behalf of 33 communities, down from 87 in 1991.¹

¹ The OPP Review, Ontario Provincial Police, Vol. 35, No.1, March 2000